

Appl. No. 10/754,026

DP-310298

**Remarks:**

1. Applicants have amended independent claims 1, 9, and 17 as suggested to overcome Examiner's Claim Objections listed in the Official Action of June 16, 2008.
2. Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Dawley (4,719,419). This rejection is respectfully traversed.
  - a. Regarding claims 1, 9, and 17, Dawley discloses a ring shaped magnet that produces a magnetic field having a monopolar magnetic flux density around the entire periphery of the magnet (col. 2, lines 5-34). As can clearly be seen in Figures 1, 2, 4 and 5 of the reference, Dawley's sensor 18/36 is not placed in the flux lines *that originate from one surface of the ring magnet and return to a second surface, distinct from the first surface*, as required by Applicants' claimed invention (i.e. not the same surface). The only flux lines of Dawley that originate from one surface and return to a second distinct surface are those shown as complete rings in Figures 1, 2, 4, and 5, and it is clear from the Figures that the sensor 18/36 is not placed in those flux lines.  
  
In fact, the placement of the sensor in Dawley makes it impossible for it to be disposed in return flux lines as required by Applicants' claimed invention. Applicants' claim 1 clearly specifies that the sensor is placed in return fluxlines that form an angle of more than 45 degrees with the direction of magnetization. This would preclude placing the sensor in a location within the same plane as that defined by the magnetic ring. In contradistinction, Dawley's sensor 18/36 is not disposed in return flux lines at all, much less return flux lines that emanate from a magnetic pole on a first surface and return to an opposite magnetic pole

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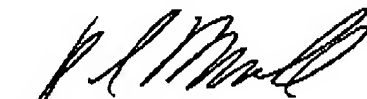
on a second distinct surface and that are returning in directions forming an angle of more than 45 degrees with the direction of magnetization. For at least these reasons, Applicants contend that the claims of the instant application are not anticipated by Dawley and request withdrawal of the rejection.

- b. Regarding claims 2-8, 10-16, and 18-24, as these claims depend directly or indirectly from claims 1, 9, and 17, respectively, then for at least the reasons cited above in 2(a), Applicants submit that this rejection should be withdrawn.

Applicants appreciate the Examiner's thorough examination of the instant application and request early favorable action. Although no fees are believed due, the Commissioner is authorized to charge Deposit Account No. 50-0831 for any fees or credit the account for any overpayment.

Respectfully submitted,

By



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